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Secretary of Labor, United

12 States Department of Labor

13 UNITED STATES DISTRICT COURT FOR THE
14 WESTERN DISTRICT OF WASHINGTON
15

16 THOMAS E. PEREZ, Secretary of Labor,
United States Department of Labor,

) Case No.: 2:12-cv-01406-RSM

)

17 Plaintiff,

)

18 v.

)

**DECLARATION OF JOSEPH LAKE IN
SUPPORT OF PLAINTIFF'S MOTION
FOR PARTIAL SUMMARY JUDGMENT
AGAINST DEFENDANT DIRECTV LLC**

19 LANTERN LIGHT CORPORATION, d/b/a
20 ADVANCED INFORMATION SYSTEMS, a
corporation; DIRECTV LLC, a limited
liability company; and RAMON MARTINEZ,
21 an individual,

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NOTING DATE: April 10, 2015

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22 Defendants.

1 Now comes Joseph M. Lake, and states as follows:

- 2 1. I am employed by the United States Department of Labor, Office of the Solicitor, 90 7th
3 Street, Suite 3-700, San Francisco, California, 94103 and I am the lead attorney for the
4 Plaintiff in the above-captioned matter.
- 5 2. The following facts are true and correct to the best of my personal knowledge.
- 6 3. Attached as Exhibit A is a true and correct copy of the transcript for the deposition of
7 Steven Crawford, designated DirecTV's person most knowledgeable pursuant to Federal
8 Rule of Civil Procedure 30(b)(6).
- 9 4. Attached as Exhibit B, and filed under seal, is a true and correct copy of the DirecTV,
10 Inc. Services Provider Agreement, marked DTV000283-324.
- 11 5. Attached as Exhibit C is a true and correct copy of the Assumption Agreement between
12 Lumin, Inc. and ("AIS"), marked DTV000043-44.
- 13 6. Attached as Exhibit D is a true and correct copy of Defendant Lantern Light Corporation,
14 d/b/a Advanced Information Systems' Fourth Amended Answers to the Secretary's
15 Interrogatories (First Set).
- 16 7. Attached as Exhibit E, and filed under seal, is a true and correct copy of an E-mail
17 exchange dated October 10-13, 2014, marked DTV e0200777.
- 18 8. Attached as Exhibit F is a true and correct copy of the transcript for the deposition of
19 Marc Mastin.
- 20 9. Attached as Exhibit G is a true and correct copy of a Work Order from DirecTV, marked
21 DOL 003498.
- 22 10. Attached as Exhibit H, and filed under seal, is a true and correct copy of an E-mail
23 exchange dated November 4, 2011, and marked DTV e0143795-796.
- 24
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- 1 11. Attached as Exhibit I is a true and correct copy of the transcript for the deposition of
2 Joshua Guttormsen.
- 3 12. Attached as Exhibit J, and filed under seal, is a true and correct copy of an E-mail
4 exchange dated November 10-13, 2013, and marked DTV e0172877-e0172879.
- 5 13. Attached as Exhibit K is a true and correct copy of the transcript for the deposition of
6 David Baker.
- 7 14. Attached as Exhibit L, and filed under seal, is a true and correct copy of an E-mail
8 exchange dated July 1, 2011, and marked DTV e0128506.
- 9 15. Attached as Exhibit M, and filed under seal, is a true and correct copy of the DirecTV
10 Field Services Standard Professional Installation Guidelines and Installation & Customer
11 Service Manual, marked DTV004202-4239.
- 12 16. Attached as Exhibit N is a true and correct copy of the transcript for the deposition of
13 Chris King.
- 14 17. Attached as Exhibit O is a true and correct copy of an E-mail exchange dated November
15 17, 2012, and marked DOL Martinez 0025-27.
- 16 18. Attached as Exhibit P, and filed under seal, is a true and correct copy of an E-mail
17 exchange dated November 4, 2011, and marked DTV e0143795-796.
- 18 19. Attached as Exhibit Q is a true and correct copy of a report titled Customer Satisfaction
19 Rates for Week Ending 02/27/2012, marked DOL 002807.
- 20 20. Attached as Exhibit R, and filed under seal, is a true and correct copy of a Spreadsheet
21 report of installer performance from June 2012 to May 2013, produced by DirecTV,
22 marked DTV000276.
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- 1 21. Attached as Exhibit S, and filed under seal, is a true and correct copy of an E-mail dated
- 2 July 30, 2013, from DirecTV Regional Director Marc Mastin, marked DTV e0172820.
- 3 22. Attached as Exhibit T is a true and correct copy of a letter from DirecTV to “Contracting
- 4 Partner,” dated March 5, 2012, DOL 001528.
- 5 23. Attached as Exhibit U is a true and correct copy of the transcript for the deposition of
- 6 Defendant Ramon Martinez, designated AIS’s person most knowledgeable pursuant to
- 7 Federal Rule of Civil Procedure 30(b)(6).
- 8 24. Attached as Exhibit V is a true and correct copy of an undated Rate Card provided to the
- 9 Secretary by AIS, and marked DOL 001530.
- 10 25. Attached as Exhibit W is a true and correct copy of the Addendum to DirecTV Services
- 11 Provider Agreement, marked DOL Martinez 0013-15.
- 12 26. Attached as Exhibit W is a true and correct copy of an E-mail from AIS Operations
- 13 Manager Justin Masencup, dated January 23, 2013, and marked DOL 004832.
- 14 27. Attached as Exhibit X is a true and correct copy of an E-mail from AIS Controller Lisa
- 15 Kelly, dated July 13, 2011, and marked DOL 004790.
- 16 28. Attached as Exhibit Y, and filed under seal, is a true and correct copy of an E-mail
- 17 exchange dated April 6-7, 2014, and marked DTV e0172475.
- 18 29. Attached as Exhibit Z, and filed under seal, is a true and correct copy of an E-mail dated
- 19 March 13, 2012, and marked DTV e0172078.
- 20 30. Attached as Exhibit AA, and filed under seal, is a true and correct copy of an E-mail
- 21 dated December 2, 2013, and marked DTV e0172823.
- 22 31. Attached as Exhibit BB is a true and correct copy of an E-mail exchange dated
- 23 September 6, 2013, and marked DOL Martinez 0048-49.
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- 1 32. Attached as Exhibit CC, and filed under seal, is a true and correct copy of an E-mail
2 exchange dated November 23, 2011, and marked DTV e0139105-106.
- 3 33. Attached as Exhibit DD, and filed under seal, is a true and correct copy of an E-mail
4 exchange dated November 23, 2011, and marked DTV e0139107-110.
- 5 34. Attached as Exhibit EE, and filed under seal, is a true and correct copy of an E-mail
6 exchange dated September 7, 2011, and marked DTVe0114958
- 7 35. Attached as Exhibit FF, and filed under seal, is a true and correct copy of an E-mail
8 exchange dated April 29, 2012, and marked DTV e0125683.
- 9 36. Attached as Exhibit GG, and filed under seal, is a true and correct copy of an E-mail
10 exchange dated December 13, 2011, and marked DTVe0130876.
- 11 37. Attached as Exhibit HH is a true and correct copy of an E-mail exchange dated June 28,
12 2013, and marked DOL Martinez 0057.
- 13 38. Attached as Exhibit II is a true and correct copy of the DirecTV, Inc. Services Provider
14 Agreement between DirecTV and Modern Day Satellite, dated July 29, 2009.
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17 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the
18 United States of America that the foregoing is true and correct.

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21 Dated: March 19, 2015

/s/ Joseph Lake
JOSEPH M. LAKE